

FORM PTO-1083
Mail Stop AMENDMENT
COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, VA 22313-1450

JFW

Docket No.: 5038.1019
Date: February 19, 2009

In re application of: **Rudolf BOHDAL**
Application No: 10/564,076
Filed: January 10, 2006
For: **METHOD FOR MAKING GAS TURBINE ELEMENTS AND CORRESPONDING ELEMENT**

Sir,

Transmitted herewith is a **Response to Notice of Non-Compliant Amendment (1 pg)** in the above-identified application.



Also transmitted herewith are:

- ☐ Petition for extension under 37 C.F.R. §1.136
- ☒ Return Receipt Postcard
- ☒ Other: **One Replacement Sheet of Drawings (1 pg)**
- ☒ Other: **Copy of Notice of Non-Compliant Amendment (2 pgs)**



Check(s) in the amount of **\$0.00** is/are attached to cover:

- ☐ Filing fee for additional claims under 37 C.F.R. §1.16
- ☐ Petition fee for extension under 37 C.F.R. §1.136
- ☐ Other:



The Assistant Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 50-0552.



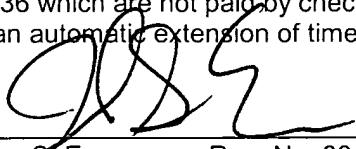
Any filing fee under 37 C.F.R. §1.16 for the presentation of additional claims which are not paid by check submitted herewith.



Any patent application processing fees under 37 C.F.R. §1.17.



Any petition fees for extension under 37 C.F.R. §1.136 which are not paid by check submitted herewith, and it is hereby requested that this be a petition for an automatic extension of time under 37 CFR §1.136.



John B. Economou, Reg. No. 38,439

DAVIDSON, DAVIDSON & KAPPEL, LLC
485 Seventh Avenue, 14th Floor
New York, New York 10018
Tel: (212) 736-1940
Fax: (212) 736-2427

I hereby certify that the documents referred to as attached therein and/or fee are being deposited with the United States Postal Service as "first class mail" with sufficient postage in an envelope addressed to "Mail Stop: AMENDMENT Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" on April 16, 2009.

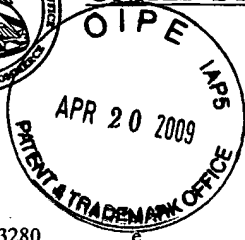
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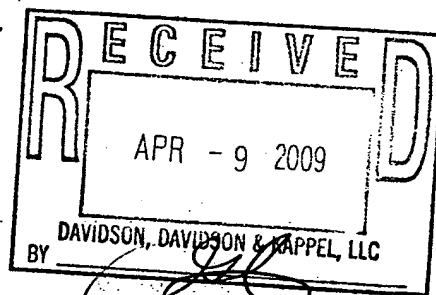
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Paper No.

Application No.: 10/564,076 	Date Mailed: 04/07/2009
First Named Inventor: Bohdal, Rudolf	Examiner: YOUNGER, SEAN JERRARD
Attorney Docket No.: 5038.1019	Art Unit: 3745
Confirmation No.: 6000	Filing Date: 01/10/2006

Please find attached an Office communication concerning this application or proceeding.

*Response to notice of non-compliant
Due 5/7/09
Response to notice of non-compliant
Deadline 10/7/09
Reminders: 4/15/09, 4/25/09*



Commissioner for Patents

**Notice of Non-Compliant Amendment
(37 CFR 1.121)**

Application No.
10/564,076

Applicant(s)
BOHDAL, RUDOLF

Art Unit
3700

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

The amendment document filed on 23 February, 2009 is considered non-compliant because it has failed to meet the requirements of 37 CFR 1.121 or 1.4. In order for the amendment document to be compliant, correction of the following item(s) is required.

THE FOLLOWING MARKED (X) ITEM(S) CAUSE THE AMENDMENT DOCUMENT TO BE NON-COMPLIANT:

- ☐ 1. Amendments to the specification:
- ☐ A. Amended paragraph(s) do not include markings.
 - ☐ B. New paragraph(s) should not be underlined.
 - ☐ C. Other _____.
- ☐ 2. Abstract:
- ☐ A. Not presented on a separate sheet. 37 CFR 1.72.
 - ☐ B. Other _____.
- ☒ 3. Amendments to the drawings:
- ☒ A. The drawings are not properly identified in the top margin as "Replacement Sheet," "New Sheet," or "Annotated Sheet" as required by 37 CFR 1.121(d).
 - ☐ B. The practice of submitting proposed drawing correction has been eliminated. Replacement drawings showing amended figures, without markings, in compliance with 37 CFR 1.84 are required.
 - ☐ C. Other _____.
- ☐ 4. Amendments to the claims:
- ☐ A. A complete listing of all of the claims is not present.
 - ☐ B. The listing of claims does not include the text of all pending claims (including withdrawn claims)
 - ☐ C. Each claim has not been provided with the proper status identifier, and as such, the individual status of each claim cannot be identified. Note: the status of every claim must be indicated after its claim number by using one of the following status identifiers: (Original), (Currently amended), (Canceled), (Previously presented), (New), (Not entered), (Withdrawn) and (Withdrawn-currently amended).
 - ☐ D. The claims of this amendment paper have not been presented in ascending numerical order.
 - ☐ E. Other: _____.
- ☐ 5. Other (e.g., the amendment is unsigned or not signed in accordance with 37 CFR 1.4): For further explanation of the amendment format required by 37 CFR 1.121, see MPEP § 714.



TIME PERIODS FOR FILING A REPLY TO THIS NOTICE:

1. Applicant is given **no new time period** if the non-compliant amendment is an after-final amendment or an amendment filed after allowance, or a drawing submission (only). If applicant wishes to resubmit the non-compliant after-final amendment with corrections, the **entire corrected amendment** must be resubmitted.
2. Applicant is given **one month**, or thirty (30) days, whichever is longer, from the mail date of this notice to supply the correction, if the non-compliant amendment is one of the following: a preliminary amendment, a non-final amendment (including a submission for a request for continued examination (RCE) under 37 CFR 1.114), a supplemental amendment filed within a suspension period under 37 CFR 1.103(a) or (c), and an amendment filed in response to a Quayle action. If any of above boxes 1 to 4 are checked, the correction required is only the corrected section of the non-compliant amendment in compliance with 37 CFR 1.121.

Extensions of time are available under 37 CFR 1.136(a) only if the non-compliant amendment is a non-final amendment or an amendment filed in response to a Quayle action.

Failure to timely respond to this notice will result in:

Abandonment of the application if the non-compliant amendment is a non-final amendment or an amendment filed in response to a Quayle action; or

Non-entry of the amendment if the non-compliant amendment is a preliminary amendment or supplemental amendment.

Legal Instruments Examiner (LIE), if applicable /BURNELL L. ROSS/

Telephone No: (571)272-4389